

COMMONWEALTH OF MASSACHUSETTS  
APPEALS COURT

No. 15-P-0419

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COMMONWEALTH,  
Appellee

v.

RICHARD LAWSON  
Defendant-Appellant

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ON APPEAL FROM A JUDGMENT OF  
THE BOSTON MUNICIPAL COURT

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DEFENDANT-APPELLANT'S  
BRIEF

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## **ISSUES**

1. Whether the defendant's motion for a required finding of not guilty should have been allowed (a) where the undisputed evidence established that he suffered from a longstanding major mental illness, (b) where his failure to take his prescribed medication cannot as a matter of law render him criminally responsible, (c) where to the extent that his drug use may have exacerbated the psychotic episode for which he was arrested, it was not the primary cause of this episode, and (d) where the Commonwealth offered no evidence establishing his criminal responsibility but simply relied on the so-called presumption of sanity in order to meet its burden of proving the requisite mental state.

2. Whether the prosecutor's closing arguments claiming the defendant was sane and willfully stopped taking medications misstated the facts in evidence, substantially prejudicing the defendant.

## **STATEMENT OF THE CASE**

On March 11, 2014, Mr. Richard Lawson was arrested for resisting arrest, two counts of assault and battery with a dangerous weapon, and two counts of assault and battery on a public employee. R.A. 3. He

also had an outstanding warrant out of Quincy District Court. Within hours of his arrest, he was sent to Massachusetts General Hospital ("MGH") for a psychiatric evaluation. Tr. 23. He refused to cooperate and was sent to Nashua Street jail. Tr. 72.

While at Nashua Street, Quincy District Court ordered him to be sent to Bridgewater State Hospital for a competence evaluation. Tr. 73. Judge Summerville of the Boston Municipal Court ordered him to undergo a criminal responsibility evaluation for the charges on the instant case and on July 14, 2014, issued an Order of Commitment pursuant to c. 123 § 15(b). R. 10. While at Bridgewater, forensic psychologist Dr. Maria Salvador evaluated Mr. Lawson and sent her criminal responsibility report to the court on August 18, 2014. R.A. 9.

Mr. Lawson filed a notice of defense of lack of criminal responsibility because of mental disease or defect on September 23, 2014. R.A. 8, 17. He had a jury waived trial on October 17, 2014 in front of Judge Coyne. R.A. 6. He was found guilty and sentenced to two and a half years in the house of correction, 18 months to serve and the balance suspended to October 12, 2016. R.A. 6.

A notice of appeal was filed on October 24, 2014.  
R.A. 19. The case was entered into the Appeals Court  
on March 26, 2015.

#### **STATEMENT OF FACTS**

The Commonwealth's case. The Commonwealth put on  
one witness: Officer Paul Hayward. On March 11, 2014,  
he and his partner Officer John Mullen were on patrol  
in their vehicle when they saw Mr. Lawson with two  
companions. Tr. 12-13. Officer Hayward recognized Mr.  
Lawson as a homeless person who frequents the area.  
Tr. 17. Officer Hayward also recognized him from a  
photo array as having outstanding warrants. Tr. 13.  
The two officers exited their vehicle and told him  
they needed to speak with him as he had an outstanding  
warrant. Tr. 15. Mr. Lawson took a step back and  
reached his hand down his side. Tr. 15. Officer  
Hayward put his hands on Mr. Lawson's hand. Tr. 15.  
Mr. Lawson pushed the officer in the chest. Tr. 19.

A struggle ensued. Tr. 15. When Officer Hayward  
grabbed Mr. Lawson's arm, he tried to pull away. Tr.  
15. Officer Hayward then took him to the ground,  
putting weight on his chest to subdue him. Tr. 19.  
Officer Mullen joined in and grabbed his feet. Tr. 20.  
When Officer Mullen attempted to put handcuffs on his

hands they ended up on one of his wrists. Tr. 20. He squirmed out, began kicking Officer Mullen in the head, and waved his handcuffed hand at the officers. Tr. 21. The two officers eventually subdued him.

According to Officer Hayward, Mr. Lawson became "absolutely manic" while being restrained but appeared to be coherent. Tr. 25. He asked his companions for help. Tr. 21. Another unit responded and transported him to the station. Tr. 23. He was still struggling at the station. Tr. 23. Mr. Lawson was taken to MGH for a psychiatric evaluation. Tr. 41.

The defendant's case. Dr. Salvator testified for the defense, relying on her evaluation of him, his medical records from MGH, dated March 11 to March 12, 2014, and his medical records from Nashua Street Jail, dated November 26, 2013 to March 16, 2014. Tr. 40-41. She also spoke with the mental health director at Dedham House of Correction and an EMT at Middlesex House of Correction, where Mr. Lawson was held shortly before the incident in the instant case. Tr. 41.

According to the MGH records, he presented as paranoid, disheveled, responding to internal stimuli, and hearing voices. Tr. 68. He believed the medical team was trying to coerce him into answering questions

and refused to participate. Tr. 68. The clinician determined that Mr. Lawson was paranoid and exhibited a slew of associated symptoms including a flight of ideas, disorganized thought process, and agitation to the point that an emergency anti-psychotic (Haldol) was given. Tr. 53. He was then sent to Nashua Street Jail to await trial. Tr. 68.

When Dr. Salvador first tried to interview Mr. Lawson on April 8, 2014, he was symptomatic; he was agitated, guarded, suspicious and paranoid. Tr. 59-60. During this first meeting, he refused to answer questions and Dr. Salvador was unable to have a substantive conversation with him. Tr. 60-64. She initially thought that he may be malingering, but changed her opinion after more interactions. Tr. 64.

After Mr. Lawson re-started his medications, he cooperated with the evaluation and discussed the incident with her. Tr. 49. According to Mr. Lawson, he was walking with a friend when one man approached him. Tr. 49. The man did not identify himself as a police officer, came out in a menacing way and asked, "what the fuck is your name." Tr. 50. Mr. Lawson did not believe that this man was a police officer because officers were supposed to protect his family and the



kids in his family. Tr. 50. He believed that the person who came out of the car was wearing a yellow suit with some kind of reflective emblem or symbol on it and was possibly a street cleaner or a security officer. Tr. 50. According to Dr. Salvador, Mr. Lawson's account seemed like a paranoid delusion - a delusion over "who the officer was and what the officer was trying to do or asking him." Tr. 51.

Mr. Lawson has a lengthy history of mental illness, including a diagnosis of schizoaffective disorder bipolar type. Tr. 43. Schizoaffective disorder effects of thoughts, mood, and perception; when patients are acutely symptomatic, the illness impairs their judgement and ability to perceive reality. Tr. 44. He also has a history of substance abuse and antisocial personality disorder. Tr. 45.

Mr. Lawson received medications for his mental illnesses, including anti-psychotic medication (Risperdal), a mood stabilizer (lithium), anti-depressants, and anti-anxiety medications. Tr. 43. However, he has a history of non-compliance; his compliance depends on whether he thinks he suffers from a mental illness. Tr. 69. When not on his medications, Mr. Lawson decompensates quickly - within

a week. Tr. 75. His most pronounced symptoms are paranoia, delusions, responding to internal stimuli and hearing voices. Tr. 49, 68. In addition to these symptoms, he exhibits a disorganized thought process, impulsivity, flight of ideas, and loose associations. He becomes agitated, aggressive, shows poor insights, and exhibits poor judgement. Tr. 46, 67-68.

Before this incident, Mr. Lawson was incarcerated at Nashua Street, where he had been taking an anti-psychotic (Zyprexa) and a mood-stabilizer (lithium). He was on his medications until February 21, 2014, when he was transferred to Dedham House of Correction. Tr. 47. While at Dedham, his medications were discontinued. Tr. 47. The record is silent as to why the medications stopped. The lithium was restarted but he did not take it. Tr. 47. The record does not state that the anti-psychotic medication was ever re-started at Dedham. He transferred to Middlesex House of Correction. While at Middlesex, he was not prescribed any medications. Tr. 48. Between February 21 and March 11, 2014, he was not taking any medications.

At the time of the incident, Mr. Lawson had been off his medications for nearly three weeks. Tr. 51. His symptoms were consistent with schizoaffective

disorder. Tr. 51. He admitted to using cocaine before the incident and tested positive for cocaine while at MGH. Tr. 66-67. However, according to Dr. Salvador, his symptoms likely preceded taking any cocaine and at most the cocaine would just exacerbate his symptoms - "he was most likely already experiencing symptoms from mental illness, paranoid delusions, impulsive, impaired insight, and judgement." Tr. 76.

In her opinion, Mr. Lawson was suffering from a mental defect and was symptomatic at the time of the incident because he had not been on his medications for three weeks. Tr. 51. Regarding her opinion on whether Mr. Lawson could appreciate the wrongfulness of his conduct, Dr. Salvador testified that:

"He told me that he didn't know who this person was. He was scared, all he would do was run away. He was scared for his life. He thought he was going back to jail and that this person was trying to torment him. All he told me is all he wanted to do was run away from this person. In my opinion his symptoms helped him to distort reality and his actions were driven by distorted views of what was actually occurring at the time."

Tr. 53.

Regarding her opinion on whether Mr. Lawson could conform his conduct to the requirements of the law, Dr. Salvador testified that:

"In my opinion he wasn't. In his mindset all he could think about was running away from this person. He told me he was scared, he was frightened. He thought this person was trying to torment him. I also reviewed the records from Massachusetts General Hospital, as I've testified previously to, and those records revealed that he - this was a clinician from the BEST team that had evaluated him there and it revealed - this person's assessment was that he was paranoid, flight of ideas, disorganized thought process, and agitated to the point that he required emergency medications, Haldol, which is an anti-psychotic medication, and Cogentin, a medication that's used to alleviate the side effects of anti-psychotic medications."

Tr. 53.

The Commonwealth provided no rebuttal witness. In his closing argument, the prosecutor claimed that Mr. Lawson had the capacity to understand what he was doing and was competent at the time. The prosecutor claimed that Mr. Lawson's cocaine use, anti-social personality disorder, and non-compliance with his medications were not an excuse, and claimed that Mr. Lawson should have known that he would be symptomatic when failing to take his medications.

After a bench trial, Mr. Lawson was convicted.

#### ARGUMENT

- I. The Commonwealth's evidence was insufficient to prove Mr. Lawson was criminally responsible at the time of the incident.

In light of Mr. Lawson's serious mental health issues at the time of the incident, the Commonwealth's evidence was insufficient to survive his motion for a required finding of not guilty. The evidence here established that he suffered from a longstanding major mental illness, that he was off his medication at the time of the incident, and that he was suffering from this major mental illness at the time of the incident. While he was under the influence of cocaine at the time, his symptoms were not triggered by the drug. Thus, even when viewed in the light most favorable to the Commonwealth, the evidence failed to establish that he was criminally responsible at the time of the incident. Therefore, his motion for a required finding of not guilty should have been granted at trial.

A. The Commonwealth must prove that a defendant is criminally responsible.

The United States Constitution "prohibits the criminal conviction of any person except upon proof of guilt beyond a reasonable doubt." Jackson v. Virginia, 443 U.S. 307, 309 (1979). Convictions based on less violate the Due Process Clause of the Fourteenth Amendment and cannot stand. Id. at 318-19. Article 12 of the Massachusetts' Declaration of Rights also

prohibits conviction on less than proof beyond a reasonable doubt.

To survive a motion for a required finding of not guilty, the Commonwealth's evidence must be sufficient to persuade individuals of ordinary intelligence of the defendant's guilt beyond a reasonable doubt.

Commonwealth v. Latimore, 378 Mass. 671, 676-77

(1979). If a judge erroneously denies the motion, the verdict of guilty cannot be upheld. Lattimore, 378 Mass. at 676. In reviewing the denial of a motion for a required finding of not guilty, the Court must determine whether the evidence, in the light most favorable to the Commonwealth, is sufficient to prove the essential elements of the charged crime. Latimore, 378 Mass. at 676-77.

In cases where the defendant's mental health is at issue, the Commonwealth has a heavy burden. Once the issue is raised, the Commonwealth must prove, beyond a reasonable doubt, that the defendant did not lack the substantial capacity to appreciate the wrongfulness of his conduct or conform his behavior to the law as a result of a mental disease or defect.

Commonwealth v. McHoul, 352 Mass. 541, 546-47 (1967).

The Commonwealth may rely on a presumption of sanity.  
Commonwealth v. Keita, 429 Mass. 843, 846 (1999).

Ordinarily a determination that the defendant lacks criminal responsibility ends the inquiry. However, there is a narrow exception for voluntary intoxication. Commonwealth v. Berry, 457 Mass. 602, 617 (2010); Commonwealth v. DiPadova, 460 Mass. 424, 432-33 (2011). An individual with an underlying mental illness may still be criminal responsible when he voluntarily takes drugs or alcohol that causes him to lose competency. Commonwealth v. McGrath, 358 Mass. 314, 320 (1970). If the drugs or alcohol trigger or exacerbate a mental illness, the defendant is criminally responsible if he knows, or should have known, that the drugs would exacerbated his condition. Berry, 457 Mass. at 617-18. However, a mentally ill defendant is not criminally responsible if he was already symptomatic and taking drugs simply exacerbated his symptoms. Id. at 617.

Furthermore, this narrow exception does not extend to non-compliance with treatments. Commonwealth v. Shin, 86 Mass. App. Ct. 381, 389 (2014). A defendant with a long history of mental illness is not necessarily criminally responsible for failing to take

his medications. Id. "The source of the lack of substantial capacity is the critical factor in determining whether the defendant is criminally responsible." DiPadova, 460 Mass. at 431. Shin suggests that the drug or alcohol inquiry is only relevant when the consumption of drugs or alcohol is the sole cause for the defendant's lack of criminal responsibility. Shin, 86 Mass. App. Ct. at 389.

B. Even in the light most favorable to the Commonwealth, the evidence showed that Mr. Lawson was not criminally responsible.

Several facts were not in dispute. Clearly, Mr. Lawson has a significant history of mental illness and, as established by the Commonwealth's evidence, was symptomatic at the time of the incident. Within hours of his arrest, police officers took Mr. Lawson to the emergency room for a psychiatric evaluation. The main issue at trial appeared to be whether he was responsible for his symptoms because of a combination of not taking his medications and taking cocaine.

Mr. Lawson raised the issue of his mental health several weeks before trial. A forensic psychologist at Bridgewater State Hospital evaluated him and found that he was not criminally responsible at the time of the incident. According to the arresting officer, Mr.



Lawson was manic at the time of the incident and did not calm down when taken to the station. Instead, within hours of his arrest, he was taken to MGH for a psychiatric evaluation. While at MGH, he exhibited symptoms of his mental illness: he was paranoid, disheveled, and heard voices. He believed "they" were trying to coerce him and refused to cooperate with the evaluation. In other words, he was exhibiting symptoms consistent with his long-standing diagnosis of schizoaffective disorder.

Several weeks later, Mr. Lawson's symptoms subsided and he was able to provide an explanation for his actions. During the court ordered evaluation performed by Dr. Salvador, Mr. Lawson revealed that he did not understand that the people confronting him were police officers. Instead, he believed that one man was trying to torture him; he feared for his life and was simply trying to get away. Dr. Salvador was clear: because of his mental illness, Mr. Lawson's perception of reality was distorted and he acted on this distorted view. Because of his delusions, he was unable to conform his conduct to the law. Dr. Salvador concluded that Mr. Lawson was not criminally responsible at the time of the incident. While Dr.

Salvador acknowledged that his drug use could exacerbate his symptoms, she clearly stated that he was likely symptomatic before using cocaine.

Officer Hayward's descriptions of Mr. Lawson's behavior support these conclusions - he was manic and furtive. Furthermore, there is nothing on the record to suggest that anti-social personality disorder would cause paranoia or delusions, as suggested by the prosecutor. Thus, Mr. Lawson clearly showed he was delusional at the time of the incident and properly raised the issue of his mental health.

Since the evidence overwhelmingly established that Mr. Lawson was symptomatic at the time of his arrest, under Shin and Berry the only way the prosecutor could have sustained his burden was by proving that Mr. Lawson was somehow responsible for his symptoms. The prosecutor failed to establish this.

Instead, the prosecutor incorrectly argued that Mr. Lawson's drug use was not an excuse for his behavior. In this situation it is. Drug use is not an excuse when it triggers symptoms or otherwise exacerbates a mental illness such that a defendant loses competency. McGrath, 358 Mass. at 320. However, it is an excuse when a mentally ill individual is

already symptomatic and taking drugs simply worsens these symptoms. Berry, 457 Mass. at 617-18. A defendant's consumption of drugs or alcohol does not preclude at a lack of criminal responsibility defense. Id. Therefore the prosecutor was wrong in implying that Mr. Lawson forfeited the defense of lack of criminal responsibility simply because he used cocaine and needed to establish that he was symptomatic when he chose to take cocaine.

However, the Commonwealth never established that Mr. Lawson was not criminally responsible when taking cocaine. Therefore, under Berry, he was not criminally responsible. The evidence presented, through Dr. Salvador, established that Mr. Lawson was already symptomatic when he used cocaine. The facts on the record support her opinion. Mr. Lawson was released from jail approximately one week before the incident in question; he was in jail for some time before his release. He was not prescribed an anti-psychotic for at least two weeks before being released, and about another week passed before this incident. According to the testimony presented at trial, he decompensates within a week. Therefore, he would have been began decompensating at least two weeks before this

incident, while he was still and jail and had no access to cocaine. There was simply no evidence to suggest that he was asymptotic when choosing to take cocaine, and a plethora of evidence that he was m symptomatic. Thus, his drug use is legally irrelevant.

The government also incorrectly blamed Mr. Lawson for failing to take his medications and incorrectly argued that this failure is not a legal excuse for his behavior. This is a misstatement of the law as well as a misstatement of the facts. Under Shin, failure to take medication is insufficient to prove criminal responsibility. Shin, 86 Mass. App. Ct. at 389.

Here, the government provided no evidence as to why Mr. Lawson stopped taking his anti-psychotic medication; they only showed that he refused to take a mood stabilizer. Failure to take a mood stabilizer is simply irrelevant to this case. Mr. Lawson was clearly suffering from delusions at the incident. The medications that successfully treated his delusions were anti-psychotics, not mood stabilizers. There was no evidence on the record as to why he stopped taking the anti-psychotics, only that he was not medicated while at Dedham and Middlesex. There is nothing on the record suggesting that he was prescribed anti-

psychotics at the time; the record implies that his prescription was never transferred to Dedham. Furthermore, there is no evidence on the record regarding Mr. Lawson's sanity at the time he stopped taking his medications. Therefore, under Shin, Mr. Lawson's failure to take his medications is an excuse.

In total, the evidence presented at trial was insufficient to prove that Mr. Lawson was sane at the time of this incident. The judge clearly erred in denying the motion for a required finding not guilty.

- C. The Commonwealth should not be able to rely on a presumption of sanity in cases where a defendant has a proven history of mental illness.

It is a long standing tradition that a state may presume that a criminal defendant is sane. Clark v. Arizona, 548 U.S. 735, 766 (2006). However, once the issue of sanity is raised a state can require the government to prove sanity to some degree of certainty. Id. at 769, citing Keita 429 Mass. at 846. The Commonwealth may prove sanity without presenting expert testimony, instead relying on the defendant's conduct and the presumption of sanity. Keita, 429 Mass. at 846. In this case, the presumption should not apply.

The Supreme Judicial Court has noted that there is a tension between placing the burden of proving sanity on the Commonwealth while allowing a presumption of sanity to satisfy this burden. Id. at 846. "The tension created by that inconsistency becomes greater as the facts of the crime and the defendant's conduct provide less and less of a basis for finding mental competence." Id. There is even greater tension when, as here, all participants in a criminal proceedings, from the police officer to the court itself, expressed doubts as to a defendant's sanity. In such situations, more should be required.

Here, Mr. Lawson's behavior clearly established that he was psychotic at the time of the incident and the presumption of sanity should not apply. The prosecutor appeared to rely on a combination of the presumption of sanity, denying Mr. Lawson was ill, and blaming him for his symptoms. The prosecutor did not put on an expert, nor did he have Mr. Lawson evaluate by a second clinician. Instead, he simply argued, contrary to all the evidence, that Mr. Lawson was sane and criminally responsible. Because of actions state officials took, this is simply insufficient to sustain a guilty verdict.

When, as here, a criminal defendant is forcibly hospitalized and medicated, required to undergo a mental health evaluation, and a state official finds the defendant insane, the Commonwealth should not be permitted to hide behind a presumption of sanity and mere arguments. The Commonwealth has the power to forcibly hospitalize a mentally ill individual when that individual's mental health creates a strong likelihood that he will harm himself or others. When, as here, the state exercises that power and immediately hospitalizes and medicates a person after the commission of a crime, it should create a strong presumption that a criminal defendant is not sane. It is time to revisit the presumption of sanity.<sup>1</sup>

Here, the state already expressed doubts regarding Mr. Lawson's criminal responsibility and acted on these doubts. Mere hours after the incident, the police brought him to an emergency room for a psychiatric evaluation, apparently using their powers under M.G.L. c. 123 § 12. The Boston Municipal Court, the very court that tried this case, expressed doubts

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<sup>1</sup> Mr. Lawson acknowledges that the Appeals Court cannot overrule the presumption of sanity established by the SJC. Should the Appeals Court find the presumption to be controlling in this case, Mr. Lawson will be asking the SJC to revisit the presumption of sanity.

that he was sane at the time of this particular incident and ordered a mental health evaluation pursuant to M.G.L. c. 123 § 15, ultimately ordering him to hospitalized. The results of that court ordered evaluation, performed by a state clinician, were clear: he was not sane at the time of the incident.

It is odd that on the one hand, Mr. Lawson's sanity can be sufficiently unclear that a court ordered a psychiatric evaluation by a state clinician, yet on the other hand the government can hide behind a presumption of sanity to prove their case. It is absurd that the Commonwealth can claim Mr. Lawson was sane, beyond a reasonable doubt, when the arresting police department expressed doubts as to his sanity within hours of his arrest. It is a miscarriage of justice when a court decides a defendant is sane beyond a reasonable doubt when that same court previously expressed doubts about a defendant's sanity and acted on these doubts by ordering a psychiatric evaluation.

**II. The prosecutor's arguments were improper, misstating the facts in evidence.**

The prosecutor inappropriately claimed that Mr. Lawson understood what he was doing during the



incident and was sane at the time. He also argued that Mr. Lawson willfully failed to take his mediations, which is a gross misstatement of the evidence presented in this case. Both arguments seriously prejudiced Mr. Lawson. As no objection was made to the arguments at trial, a standard of a substantial risk of a miscarriage of justice applies.

Prosecutors may only argue facts in evidence and any inferences that may be drawn from these facts. Commonwealth v. Ridge, 455 Mass. 307, 330 (2009). A prosecutor cannot argue or suggest facts not introduced in evidence. Commonwealth v. Beaudry, 445 Mass. 577, 580 (2005). If the prosecutor's argument is improper, a defendant needs to show whether he was prejudiced by the improper argument, looking at the context of the entire argument and trial testimony. Id. at 584. It is significant if the impropriety "went to the very heart of the case." Commonwealth v. Shelley, 374 Mass. 466, 471 (1978) (the prosecutor's arguments demeaning psychological testing and calling the defense mental health experts "mercenary soldiers" were improper).

Here, the Commonwealth's arguments were improper and not based on the facts in evidence. In his closing

argument, the prosecutor claimed that Mr. Lawson had the capacity to understand what he was doing and was sane at the time. This is in contradiction to the evidence presented at trial. The only witness to his mental status was Dr. Salvador. She was clear; he was exhibiting symptoms of his mental illness at the time of the incident. Because of his delusions, he did not understand that he was being arrested and resisted.

Other evidence supported her opinion. Although Dr. Salvador did not evaluate Mr. Lawson for several weeks, clinicians at MGH evaluated him and noted that he was symptomatic a few hours after this incident; they gave him an emergency anti-psychotic. According to the prosecution's witness, Mr. Lawson seemed manic; the police department decided that his actions were so erratic that they warranted sending him to an emergency room for a psychiatric evaluation. The prosecution's claim that Mr. Lawson understood what happened during the incident is not a fair argument in the context of the evidence presented.

The prosecution further argued that Mr. Lawson deliberately refused to take helpful medications. While Mr. Lawson had a history of being non-compliant with his medications, it was not established on the

record that he was willfully non-compliant in this particular instance. According to Dr. Salvador, shortly before the incident Mr. Lawson was in jail at Nashua Street, transferred to Dedham House of Corrections and again transferred to Middlesex House of Corrections. While he was medicated at Nashua Street, Dedham discontinued his anti-psychotic and he was not prescribed one at Dedham or Middlesex. Without being prescribed his anti-psychotic, he had no way of taking his medications while in jail. Mr. Lawson is homeless and indigent. There is no evidence that he had access to his medications once released. Claiming that he was willfully non-complaint with his medications is a gross misstatement: he was never prescribed the medications that would help his psychotic symptoms.

Furthermore, Mr. Lawson's failure to take a mood stabilizer at the Dedham House of Correction is irrelevant - it was never established that a mood stabilizer would have any effect on delusions or paranoia. While Mr. Lawson did not take his prescribed mood stabilizer while at Dedham, this prescription was not transferred with him to the Middlesex. He had no way to take his mood stabilizer while being imprisoned

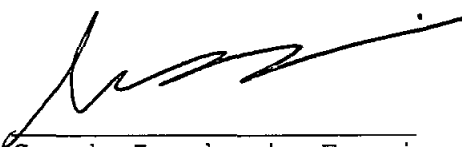
at Middlesex. Claiming that he deliberately refused to take his medications is a misstatement of the facts.

These two arguments went to the very heart of Mr. Lawson's case. His defense was that he lacked any criminal responsibility. Mr. Lawson's case depended on the facts that he was symptomatic at the time of the incident and the symptoms flowed from his mental illness instead of his cocaine use or anti-personality disorder.<sup>2</sup> The prosecutor's mischaracterization of the evidence misled the judge, prejudicing the defendant.

#### CONCLUSION

The defendant urges this Court to reverse the trial court's denial of his motion for a required finding of not guilty. In the alternative, the defendant asks for a new trial or any other relief to which he is entitled.

Respectfully submitted,  
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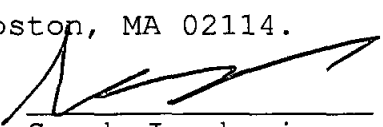
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<sup>2</sup> There was no evidence presented that this incident stemmed from his anti-social personality disorder as this does not cause delusions.


**CERTIFICATE OF SERVICE**

I, Sarah Javaheri, hereby certify that on this 31<sup>st</sup> day of May 2015, I served two copies of the defendant-appellant's brief and two copies of the defendant-appellant's appendix by U.S. First-Class Mail, postage prepaid, as follows: John P. Zanini, Office of the District Attorney/Suffolk Appellate Unit Chief, One Bulfinch Place, Boston, MA 02114.

  
Sarah Javaheri

**CERTIFICATE OF COMPLIANCE**

Pursuant to Rule 16 (k) counsel for the defendant-appellant hereby certifies that this brief complies with the rules of court that pertain to the filing of briefs.

  
Sarah Javaheri

## ADDENDUM

### Massachusetts General Laws

#### Chapter 123, Section 12 (a)

Any physician who is licensed pursuant to section 2 of chapter 112 or qualified psychiatric nurse mental health clinical specialist authorized to practice as such under regulations promulgated pursuant to the provisions of section 80B of said chapter 112 or a qualified psychologist licensed pursuant to sections 118 to 129, inclusive, of said chapter 112, or a licensed independent clinical social worker licensed pursuant to sections 130 to 137, inclusive, of chapter 112 who, after examining a person, has reason to believe that failure to hospitalize such person would create a likelihood of serious harm by reason of mental illness may restrain or authorize the restraint of such person and apply for the hospitalization of such person for a 3-day period at a public facility or at a private facility authorized for such purposes by the department. If an examination is not possible because of the emergency nature of the case and because of the refusal of the person to consent to such examination, the physician, qualified psychologist, qualified psychiatric nurse mental health clinical specialist or licensed independent clinical social worker on the basis of the facts and circumstances may determine that hospitalization is necessary and may apply therefore. In an emergency situation, if a physician, qualified psychologist, qualified psychiatric nurse mental health clinical specialist or licensed independent clinical social worker is not available, a police officer, who believes that failure to hospitalize a person would create a likelihood of serious harm by reason of mental illness may restrain such person and apply for the hospitalization of such person for a 3-day period at a public facility or a private facility authorized for such purpose by the department. An application for hospitalization shall state the reasons for the restraint of such person and any other relevant information which may assist the admitting physician or physicians. Whenever practicable, prior to transporting such person, the applicant shall telephone or otherwise communicate with a facility to

describe the circumstances and known clinical history and to determine whether the facility is the proper facility to receive such person and also to give notice of any restraint to be used and to determine whether such restraint is necessary.

Chapter 123, Section 15

(a) Whenever a court of competent jurisdiction doubts whether a defendant in a criminal case is competent to stand trial or is criminally responsible by reason of mental illness or mental defect, it may at any stage of the proceedings after the return of an indictment or the issuance of a criminal complaint against the defendant, order an examination of such defendant to be conducted by one or more qualified physicians or one or more qualified psychologists. Whenever practicable, examinations shall be conducted at the court house or place of detention where the person is being held. When an examination is ordered, the court shall instruct the examining physician or psychologist in the law for determining mental competence to stand trial and criminal responsibility.

(b) After the examination described in paragraph (a), the court may order that the person be hospitalized at a facility or, if such person is a male and appears to require strict security, at the Bridgewater state hospital, for a period not to exceed twenty days for observation and further examination, if the court has reason to believe that such observation and further examination are necessary in order to determine whether mental illness or mental defect have so affected a person that he is not competent to stand trial or not criminally responsible for the crime or crimes with which he has been charged. Copies of the complaints or indictments and the physician's or psychologist's report under paragraph (a) shall be delivered to the facility or said hospital with the person. If, before the expiration of such twenty day period, an examining qualified physician or an examining qualified psychologist believes that observation for more than twenty days is necessary, he shall so notify the court and shall request in writing an extension of the twenty day period, specifying the reason or reasons

for which such further observation is necessary. Upon the receipt of such request, the court may extend said observation period, but in no event shall the period exceed forty days from the date of the initial court order of hospitalization; provided, however, if the person requests continued care and treatment during the pendency of the criminal proceedings against him and the superintendent or medical director agrees to provide such care and treatment, the court may order the further hospitalization of such person at the facility or the Bridgewater state hospital.

(c) At the conclusion of the examination or the observation period, the examining physician or psychologist shall forthwith give to the court written signed reports of their findings, including the clinical findings bearing on the issue of competence to stand trial or criminal responsibility. Such reports shall also contain an opinion, supported by clinical findings, as to whether the defendant is in need of treatment and care offered by the department.

(d) If on the basis of such reports the court is satisfied that the defendant is competent to stand trial, the case shall continue according to the usual course of criminal proceedings; otherwise the court shall hold a hearing on whether the defendant is competent to stand trial; provided that at any time before trial any party to the case may request a hearing on whether the defendant is competent to stand trial. A finding of incompetency shall require a preponderance of the evidence. If the defendant is found incompetent to stand trial, trial of the case shall be stayed until such time as the defendant becomes competent to stand trial, unless the case is dismissed.

(e) After a finding of guilty on a criminal charge, and prior to sentencing, the court may order a psychiatric or other clinical examination and, after such examination, it may also order a period of observation in a facility, or at the Bridgewater state hospital if the court determines that strict security is required and if such person is male. The purpose of such observation or examination shall be to aid the court in sentencing. Such period of observation or examination shall not exceed forty days. During such



period of observation, the superintendent or medical director may petition the court for commitment of such person. The court, after imposing sentence on said person, may hear the petition as provided in section eighteen, and if the court makes necessary findings as set forth in section eight, it may in its discretion commit the person to a facility or the Bridgewater state hospital. Such order of commitment shall be valid for a period of six months. All subsequent proceedings for commitment shall take place under the provisions of said section eighteen in the district court which has jurisdiction of the facility or hospital. A person committed to a facility or Bridgewater state hospital pursuant to this section shall have said time credited against the sentence imposed as provided in paragraph (c) of said section eighteen.

(f) In like manner to the proceedings under paragraphs (a), (b), (c), and (e) of this section, a court may order a psychiatric or psychological examination or a period of observation for an alleged delinquent in a facility to aid the court in its disposition. Such period shall not exceed forty days.

RECORD APPENDIX

Table of Contents

Docket Entries . . . . .	R.A. 1
Complaint. . . . .	.R.A. 15
Defendant's Notice of Defense of Lack of Criminal Responsibility . . . . .	.R.A. 17
Defendant's Notice of Appeal . . . . .	.R.A. 19

RICHARD LAWSON  
**BOSTON MUNICIPAL COURT-CENTRAL DIVISION**

DOCKET ENTRIES		OCT 17 2014	ATTORNEY
Legal Counsel Fee Assessment	150	<div style="font-size: 3em;">}</div> All fees permitted COYNE JPM	Rostenberg (bar) ONLY
Legal Counsel Fee Contribution			
Victim/Witness Fund Assessment			
Drug Analysis Fund Assessment			
Supervised Probation Fee			
MAR 12 2014		Custody	BAIL ONLY
MAR 9 2014 Defendant Not In Custody		Ray Herber	
MAR 17 2014 ADA Fitz		APPROV. PO CHAND	
PLEADS NOT GUILTY		SEE-NO.	
<small>RIGHT TO HAVE CHARGES            Attorney Appointed by Court</small>		<del>3-4740</del> 13-4992 AUG 27 ROOM 10	F
\$ 2,000 to APR 11			
CASH		RM 11 PTH	
Bail Warning Given		(vacate)	
Defendant Devoid Of Right To			
Petition Superior Court For			
Review Of Bail		Sumnerville, J/KW	
Bail Related Papers			
Transported With Defendant			
MAR 21 2014 <i>Grand for to Suffolk Superior Court on Motion for order of review of Bail. To put away defendant \$1000/parol - 1/2 sup/parol. Bail then given.</i>			
MAR 24 2014			
MAR 17 2014 Defendant			
MAR 24 2014 Defendant			
CASE called at request of probation			
NO Action Taken			
(Defendant No Warrant To Issue)			
vacate			

# BOSTON MUNICIPAL COURT-CENTRAL DIVISION

## DOCKET ENTRIES

MAR. 20 2014

Writ of Habeas Corpus

1,800

Case by Defendant

into 50

APR 9 2014

11

O

Raitenberg

2:14

no

Lawton

Defendant's Motion for Continuance read & Allowed

1,800 to May 22

Same recog

CASH

CR 11 PTH

Court 5/21/14

4/10/14 - Defendant files a Motion for Speedy Trial. 150

MAY 22 2014

10

O

Regenbogen

11:42

Fitzgerald

Lawton

2:33

Norfolk County

HABEAS CORPUS TO ISSUE W.R.

H.C.C. FOR APPEARANCE

OF DEFT TO ANSWER TO TESTIFY

AT M.C.

6/18 9AM

1800 to June 18

Same Recog

CASH

Rm 11 CE

9852

All Rule 17 Discovery Due

DeWyn J

Bridgewater State Hospital

HABEAS CORPUS TO ISSUE W.R.

H.C.C. FOR APPEARANCE

OF DEFT TO ANSWER TO TESTIFY

AT M.C.

6/18 9AM

Judge: Case No. 1401CR001320  
Ticket No.  
CTN:

LAWSON, RICHARD

By:

LAWSON, RICHARD  
HOMELESS, MA

DFNDT

-vs-

By: ROTTENBERG, VICTORIA  
Committee For Public  
Counsel  
1 Congress Street, Suite  
102  
BOSTON, MA 02114

Job: 01/07/1981 Sex: M  
Lic: Sid:

Plate#: Accident: No  
Make:  
Year:  
Type:  
Venue: BOSTON P.D. AREA A-1  
Location: BMC

REGENBOGEN, JULIE  
MULLAN, JOHN

ATT  
CMP

Bond: Set:  
Type: Posted:

Charges:

ct.1	265/13D/B	A&B ON PUBLIC EMPLOYEE C265 S13D	GUILTY BY PLEA
	Offense Dt: 03/11/2014	Cvr: 665	
	Arrest Dt:		
	Comments:		
ct.2	265/15A/A	A&B WITH DANGEROUS WEAPON C265 S15A	GUILTY BY PLEA
	Offense Dt: 03/11/2014	Cvr: 665	
	Arrest Dt:		
	Comments:		
ct.3	265/13D/B	A&B ON PUBLIC EMPLOYEE C265 S13D	GUILTY BY PLEA
	Offense Dt: 03/11/2014	Cvr: 665	
	Arrest Dt:		
	Comments:		
ct.4	265/15B/A	ASSAULT W/DANGEROUS WEAPON C265 S15B	GUILTY BY PLEA
	Offense Dt: 03/11/2014	Cvr: 665	
	Arrest Dt:		
	Comments:		
ct.5	268/32B	RESISTING ARREST C268 932B	GUILTY BY PLEA
	Offense Dt: 03/11/2014	Cvr: 665	
	Arrest Dt:		
	Comments:		

Sentencing:  
ct.1 Sentence Suspended Credit

Jail (Days)  
Fines  
Costs  
Institution  
Probation (Mo) Expires:  
Comm Svc (Hr)

REMARKS: DEFENDANT COMMITTED TO THE SUFFOLK COUNTY  
HOUSE OF CORRECTION FOR A PERIOD OF 2  
1/2 YEARS, 18 MONTHS TO BE SERVE THE  
BALANCE OF THE SENTENCE IS SUSPENDED TO  
OCT 12, 2016 , ALL COUNTS CONCURRENT WITH  
EACH COUNT AND WITH THE COMMITMENT NOW  
SERVING. 70 DAYS JAIL CREDIT

ct.2 Sentence Suspended Credit

Jail (Days)  
Fines  
Costs  
Institution  
Probation (Mo) Expires:  
Comm Svc (Hr)

REMARKS: DEFENDANT COMMITTED TO THE SUFFOLK COUNTY  
HOUSE OF CORRECTION FOR A PERIOD OF 2  
1/2 YEARS, 18 MONTHS TO BE SERVE THE  
BALANCE OF THE SENTENCE IS SUSPENDED TO  
OCT 12, 2016 , ALL COUNTS CONCURRENT WITH  
EACH COUNT AND WITH THE COMMITMENT NOW  
SERVING.

ct.3 Sentence Suspended Credit

Jail (Days)  
Fines  
Costs  
Institution  
Probation (Mo) Expires:  
Comm Svc (Hr)

REMARKS: DEFENDANT COMMITTED TO THE SUFFOLK COUNTY  
HOUSE OF CORRECTION FOR A PERIOD OF 2  
1/2 YEARS, 18 MONTHS TO BE SERVE THE  
BALANCE OF THE SENTENCE IS SUSPENDED TO  
OCT 12, 2016 , ALL COUNTS CONCURRENT WITH  
EACH COUNT AND WITH THE COMMITMENT NOW

SERVING.  
Sentence      Suspended      Credit

Ct.4  
Jail (Days)  
Fines  
Costs  
Restitution  
Probation(Mo)  
Comm Svc (Hr)  
REMARKS:

Expires:

DEFENDANT COMMITTED TO THE SUFFOLK COUNTY HOUSE OF CORRECTION FOR A PERIOD OF 2 1/2 YEARS, 18 MONTHS TO BE SERVE THE BALANCE OF THE SENTENCE IS SUSPENDED TO OCT 12, 2016 , ALL COUNTS CONCURRENT WITH EACH COUNT AND WITH THE COMMITMENT NOW SERVING.

Sentence      Suspended      Credit

Ct.5  
Jail (Days)  
Fines  
Costs  
Restitution  
Probation(Mo)  
Comm Svc (Hr)  
REMARKS:

Expires:

DEFENDANT COMMITTED TO THE SUFFOLK COUNTY HOUSE OF CORRECTION FOR A PERIOD OF 2 1/2 YEARS, 18 MONTHS TO BE SERVE THE BALANCE OF THE SENTENCE IS SUSPENDED TO OCT 12, 2016 , ALL COUNTS CONCURRENT WITH EACH COUNT AND WITH THE COMMITMENT NOW SERVING.

No.	Filed	Action	Operator	Fine/Cost	Due
1	12/24/14	NAC RECEIVED FROM CPCS APPOINTING ATTY SARAH JAVAHERI	KELLY_B	0.00	0.00
	10/22/14	BAIL RETURNED CHECK 9154	BURKE_A	1,800.00	0.00
3	10/17/14	FORM PRINTED: Mittimus for Sentence Sent on: 10/17/2014 15:13:53	CAFFREY_F	0.00	0.00
1	10/17/14	SCHEDULING INFORMATION: Event: PROBATION TERMINATION HEARING Date: 10/12/2016 Time: 9:00 am Judge: ROOM 507 - Probation Matters Location: Room 507 - Probation Matters	CAFFREY_F	0.00	0.00
	10/17/14	EVENT RESULT The following event: TRIAL scheduled for 10/17/2014 at 9:00 am has been resulted as follows: Result: Held	CAFFREY_F	0.00	0.00
	10/17/14	CHARGE DISPOSITION Sentence Information Seq: 1 Charge no: 5 Disposition Date: 10/17/2014 Disposition Code: GUILTY BY PLEA Sentence Date: Plea Withdrawn Date: Abstract Date: 10/17/2014 Abstract Type: GUILTY BY PLEA Fine: Cost: Restitution: Attorney Fees: Jail/Prison: Credit Days: Max MDOC Time: Jail Time: Concurrent/Consecutive: Sentence Text: DEFENDANT COMMITTED TO THE SUFFOLK COUNTY HOUSE OF CORRECTION FOR A PERIOD OF 2 1/2 YEARS, 18 MONTHS TO BE SERVE THE BALANCE OF THE SENTENCE IS SUSPENDED TO OCT 12, 2016 , ALL COUNTS CONCURRENT WITH EACH COUNT AND WITH THE COMMITMENT NOW SERVING.	CAFFREY_F	0.00	0.00

No.	Filed	Action	Operator	Fine/Cost	Due
7	10/17/14	CHARGE DISPOSITION Sentence Information Seq: 1 Charge no: 4 Disposition Date: 10/17/2014 Disposition Code: DISPOSED - AMENDED Sentence Date: Plea Withdrawn Date: Abstract Date: 10/17/2014 Abstract Type: DISPOSED - AMENDED Fine: Cost: Restitution: Attorney Fees: Jail/Prison: Credit Days: Max MDOC Time: Jail Time: Concurrent/Consecutive: Sentence Text:	CAFFREY_F	0.00	0.00
3	10/17/14	CHARGE DISPOSITION Sentence Information Seq: 1 Charge no: 3 Disposition Date: 10/17/2014 Disposition Code: GUILTY BY PLEA Sentence Date: Plea Withdrawn Date: Abstract Date: 10/17/2014 Abstract Type: GUILTY BY PLEA Fine: Cost: Restitution: Attorney Fees: Jail/Prison: Credit Days: Max MDOC Time: Jail Time: Concurrent/Consecutive: Sentence Text: DEFENDANT COMMITTED TO THE SUFFOLK COUNTY HOUSE OF CORRECTION FOR A PERIOD OF 2 1/2 YEARS, 18 MONTHS TO BE SERVE THE BALANCE OF THE SENTENCE IS SUSPENDED TO OCT 12, 2016 , ALL COUNTS CONCURRENT WITH EACH COUNT AND WITH THE COMMITMENT NOW SERVING.	CAFFREY_F	0.00	0.00
	10/17/14	CHARGE DISPOSITION Sentence Information Seq: 1 Charge no: 2 Disposition Date: 10/17/2014 Disposition Code: GUILTY BY PLEA Sentence Date: Plea Withdrawn Date: Abstract Date: 10/17/2014 Abstract Type: GUILTY BY PLEA Fine: Cost: Restitution: Attorney Fees: Jail/Prison: Credit Days: Max MDOC Time: Jail Time: Concurrent/Consecutive: Sentence Text: DEFENDANT COMMITTED TO THE SUFFOLK COUNTY HOUSE OF CORRECTION FOR A PERIOD OF 2 1/2 YEARS, 18 MONTHS TO BE SERVE THE BALANCE OF THE SENTENCE IS SUSPENDED TO OCT 12, 2016 , ALL COUNTS CONCURRENT WITH EACH COUNT AND WITH THE COMMITMENT NOW SERVING.	CAFFREY_F	0.00	0.00

No.	Filed	Action	Operator	Fine/Cost	Due
10	10/17/14	CHARGE DISPOSITION Sentence Information Seq: 1 Charge no: 1 Disposition Date: 10/17/2014 Disposition Code: GUILTY BY PLEA Sentence Date: Plea Withdrawn Date: Abstract Date: 10/17/2014 Abstract Type: GUILTY BY PLEA Fine: Cost: Restitution: Attorney Fees: Jail/Prison: Credit Days: Max MDOC Time: Jail Time: Concurrent/Consecutive: Sentence Text: DEFENDANT COMMITTED TO THE SUFFOLK COUNTY HOUSE OF CORRECTION FOR A PERIOD OF 2 1/2 YEARS, 18 MONTHS TO BE SERVE THE BALANCE OF THE SENTENCE IS SUSPENDED TO OCT 12, 2016 , ALL COUNTS CONCURRENT WITH EACH COUNT AND WITH THE COMMITMENT NOW SERVING.	CAFFREY_F	0.00	0.00
11	10/17/14	COYNE J AMC	CAFFREY_F	0.00	0.00
12	10/17/14	TAPE NUMBER AND FOOTAGE RM 11 BEGIN 11:33	CAFFREY_F	0.00	0.00
13	10/17/14	. ALL FEES WAIVED.	CAFFREY_F	0.00	0.00
14	10/17/14	AS TO COUNTS 1,2,3,4, AND 5 FOUND GUILTY DEFENDANT COMMITTED TO THE SUFFOLK COUNTY HOC FOR A PERIOD OF 2 1/2 YEARS, 18 MONTHS TO BE SERVE THE BALANCE OF THE SENTENCE IS SUSPENDED TO OCT 12, 2016 ROOM 507, ALL COUNTS CONCURRENT WITH EACH COUNT ANDWITH THE COMMITMENT NOW SERVING. DEFENDANT TO RECEIVE 70 DAYS JAIL CREDIT DEFENDANT TO UNDERGO A MENTAL HEALTH EVALUATION AND TREATMENT AS DEEMED NECESSARY STAY OUT OF DOWNTOWN BOSTON STAY OUT OF BOSTON COMMON STAY OUT OF THE PUBLIC GARDEN STAY OUT OF CHINATOWN STAY OUT OF DOWNTOWN CROSSING	CAFFREY_F	0.00	0.00
15	10/17/14	DEFENSE MOVES FOR A DIRECTED VERDICT - ALLOWED AS TO COUNT 4, AS TO THAT PORTION OF THE CHARGE WHICH CHARGES DEFENDANT WITH BATTERY. COUNT 4 IS AMENDED TO "ASSAULT WITH A DANGEROUS WEAPON TO WIT "HANDCUFFS". DEFFENSE CALLS DR SALVADOR WHO IS SWORN EXAMINED AND CROSS - EXAMINED. DEFENSE RESTS DEFENSE MOVES FOR A DIRECTED VERDICT ARGUED AND DENIED  BOTH PARTIES GIVE CLOSING ARGUMENTS	CAFFREY_F	0.00	0.00



No.	Filed	Action	Operator	Fine/Cost	Due
6	10/17/14	BOTH PARTIES ANSWER READY - SENT TO ROOM 19 DEFENDANT WAIVER OF TRIAL BY JURY FILED, ACCEPTED BY COURT C/W WAIVES OPENING DEFENSE MAKES OPENNING C/W CALLS B PD OFFICER PAUL HAYWARD WHO IS SWORN, EXAMINED AND CROSS - EXAMINED COMMONWEALTH RESTS	CAFFREY_F	0.00	0.00
7	10/17/14	APPEARANCE OF PROBATION OFFICER SIMMONDS	CAFFREY_F	0.00	0.00
8	10/17/14	APPEARANCE OF COMMONWEALTH'S ATTY: FITZGERALD	CAFFREY_F	0.00	0.00
9	10/17/14	APPEARANCE OF DEFENDANT'S ATTY: ATTORNEY(s): REGENBOGEN, JULIE	CAFFREY_F	0.00	0.00
10	10/17/14	DEFENDANT IN COURT	CAFFREY_F	0.00	0.00
11	10/10/14	SCHEDULING INFORMATION:  The following event: TRIAL scheduled for 10/10/2014 at 9:00 am has been rescheduled as follows:  Event: TRIAL Date: 10/17/2014 Time: 9:00 am Judge: 10 - COURTROOM 10 Location: ROOM 10 - TRIAL ASSIGNMENT SESSION  Result: Held	NUNEZBEN	0.00	0.00
12	10/10/14	EVENT RESULT The following event: TRIAL scheduled for 10/10/2014 at 9:00 am has been resulted as follows:  Result: Continued	NUNEZBEN	0.00	0.00
13	10/10/14	MCKENNA, J / KTN ROOM 20/11:12	NUNEZBEN	0.00	0.00
14	10/10/14	HABEAS CORPUS FOR DEFENDANT AT BRIDGEWATER STATE HOSPITAL.	NUNEZBEN	0.00	0.00
15	10/10/14	MITTIMUS IN LIEU OF BAIL \$500 CASH	NUNEZBEN	0.00	0.00
16	10/10/14	COURT OFFICERS REPORT DEFT. NOT TRANSPORTED. CONT TO 10/17/14.	NUNEZBEN	0.00	0.00
17	10/10/14	APPEARANCE OF DEFENDANT'S ATTY: REGENBOGEN.	NUNEZBEN	0.00	0.00
18	10/10/14	APPEARANCE OF COMMONWEALTH'S ATTY: ADA FITZGERALD.	NUNEZBEN	0.00	0.00
19	10/10/14	Habeas Corpus for Defendant Printed  * BMC Habeas Corpus for Defendant Sent on: 10/10/2014 09:37:42	MURPHY	0.00	0.00
20	09/30/14	MITTIMUS IN LIEU OF BAIL PRINTED 500 CASH BAIL Mittimus in Lieu of Bail Sent on: 09/30/2014 14:59:22	SACHETT_R	0.00	0.00

No.	Filed	Action	Operator	Fine/Cost	Due
31	09/30/14	SCHEDULING INFORMATION:  The following event: TRIAL scheduled for 10/02/2014 at 9:00 am has been rescheduled as follows:  Event: TRIAL Date: 10/10/2014 Time: 9:00 am Judge: 10 - COURTROOM 10 Location: ROOM 10 - TRIAL ASSIGNMENT SESSION  Result: Continued	SACHETT_R	0.00	0.00
32	09/30/14	EVENT RESULT The following event: TRIAL scheduled for 10/02/2014 at 9:00 am has been resulted as follows:  Result: Rescheduled	SACHETT_R	0.00	0.00
33	09/30/14	HON. SUMMERVILLE J./ KWS	SACHETT_R	0.00	0.00
34	09/30/14	TAPE NUMBER AND FOOTAGE RM 10/	SACHETT_R	0.00	0.00
35	09/30/14	REVISED MITTIMUS TO ISSUE	SACHETT_R	0.00	0.00
36	09/30/14	CONTINUED TO OCT. 10-TRIAL-RM 10	SACHETT_R	0.00	0.00
37	09/30/14	DEFENDANT'S MOTION TO ADVANCE AND CONTINUE IS ALLOWED BY AGREEMENT.	SACHETT_R	0.00	0.00
38	09/30/14	APPEARANCE OF PROBATION OFFICER RYAN	SACHETT_R	0.00	0.00
39	09/30/14	APPEARANCE OF COMMONWEALTH'S ATTY: O'CONNELL	SACHETT_R	0.00	0.00
40	09/30/14	APPEARANCE OF DEFENDANT'S ATTY: REGENBOGEN	SACHETT_R	0.00	0.00
41	09/30/14	DEFENDANT NOT IN COURT.	SACHETT_R	0.00	0.00
42	09/30/14	MOTION BY DEFENDANT: MOTION TO ADVANCE AND CONTINUE RECEIVED AND FILED	SACHETT_R	0.00	0.00
43	09/30/14	CASE CALLED AHEAD AT REQUEST OF ATTY REGENBOGEN	SACHETT_R	0.00	0.00
44	09/23/14	NOTICE OF DEFENSE OF LACK OF CRIMINAL RESPONSIBILITY BECAUSE OF MENTAL DISEASE OR DEFECT REC'D AND FILED.	FCOUNTER	0.00	0.00
45	09/16/14	MITTIMUS IN LIEU OF BAIL PRINTED  Mittimus in Lieu of Bail Sent on: 09/16/2014 10:17:40	DEANGELIS	0.00	0.00
46	09/16/14	DOUGAN J/KWS	DEANGELIS	0.00	0.00
47	09/16/14	500 CASH TO OCT 2, RM 10 TRIAL	DEANGELIS	0.00	0.00
48	09/16/14	TAPE NUMBER AND FOOTAGE 10/9:55	DEANGELIS	0.00	0.00
49	09/16/14	APPEARANCE OF PROBATION OFFICER LAWTON	DEANGELIS	0.00	0.00
50	09/16/14	APPEARANCE OF COMMONWEALTH'S ATTY: O'CONNELL	DEANGELIS	0.00	0.00
51	09/16/14	ATTORNEY BOGEN APPEARS.	DEANGELIS	0.00	0.00
52	09/16/14	DEFENDANT IN COURT	DEANGELIS	R. 8 0.00	0.00

No.	Filed	Action	Operator	Fine/Cost	Due
53	09/16/14	SCHEDULING INFORMATION:  The following event: TRIAL scheduled for 09/16/2014 at 9:00 am has been rescheduled as follows:  Event: TRIAL Date: 10/02/2014      Time: 9:00 am Judge: 10 - COURTROOM 10 Location: ROOM 10 - TRIAL ASSIGNMENT SESSION  Result: Rescheduled	DEANGELIS	0.00	0.00
54	09/16/14	EVENT RESULT The following event: TRIAL scheduled for 09/16/2014 at 9:00 am has been resulted as follows:  Result: Continued	DEANGELIS	0.00	0.00
55	08/18/14	MITTIMUS IN LIEU OF BAIL PRINTED  Mittimus in Lieu of Bail Sent on: 08/18/2014 12:29:30	JOHNNENE	0.00	0.00
56	08/18/14	MITTIMUS IN LIEU OF BAIL PRINTED  Mittimus in Lieu of Bail Sent on: 08/18/2014 12:18:48	JOHNNENE	0.00	0.00
57	08/18/14	MITTIMUS IN LIEU OF BAIL ISSUED FOR 9/16/2014	JOHNNENE	0.00	0.00
58	08/18/14	Habeas Corpus for Defendant Printed  * EMC Habeas Corpus for Defendant Sent on: 08/18/2014 11:56:02	JOHNNENE	0.00	0.00
59	08/18/14	HABEAS CORPUS FOR DEFENDANT AT BRIDGEWATER STATE HOSPITAL ISSUED FOR SEPTEMBER 16, 2014.	JOHNNENE	0.00	0.00
60	08/18/14	TAPE NUMBER AND FOOTAGE: 10/10:14 AM	JOHNNENE	0.00	0.00
61	08/18/14	DOUGAN, FJ./DMD	JOHNNENE	0.00	0.00
62	08/18/14	NOTE: DEFENDANT POSTED \$1,800 CASH ON 3/19/2014. TOTAL BAIL = \$2,300	JOHNNENE	0.00	0.00
63	08/18/14	BAIL AT REQUEST OF DEFENDANT: \$500 ADDITIONAL CASH TO SEPTEMBER 16, 2014 FOR TRIAL ASSIGNMENT/COURTROOM 10 - NUNC PRO TUNC TO JULY 16, 2014	JOHNNENE	0.00	0.00
64	08/18/14	CORRESPONDENCE RECEIVED FROM BRIDGEWATER STATE HOSPITAL REGARDING CRIMINAL RESPONSIBILITY REPORT. COMMONWEALTH & DEFENSE COUNSEL ALLOWED TO MAKE COPIES OF REPORTS FROM BRIDGEWATER.	JOHNNENE	0.00	0.00
65	08/18/14	APPEARANCE OF COMMONWEALTH'S ATTY: TUBIAN	JOHNNENE	0.00	0.00
66	08/18/14	APPEARANCE OF DEFENDANT'S ATTY: REGENBOGEN	JOHNNENE	0.00	0.00
67	08/18/14	APPEARANCE OF PROBATION OFFICER: LAWLOR	JOHNNENE	0.00	0.00
68	08/18/14	DEFENDANT IN COURT - IN CUSTODY	JOHNNENE	0.00	0.00

No.	Filed	Action	Operator	Fine/Cost	Due
69	08/18/14	SCHEDULING INFORMATION: Event: TRIAL Date: 09/16/2014 Time: 9:00 am Judge: 10 - COURTROOM 10 Location: ROOM 10 - TRIAL ASSIGNMENT SESSION  Result: Continued	JOHNNENE	0.00	0.00
70	08/18/14	EVENT RESULT The following event: STATUS scheduled for 08/18/2014 at 9:00 am has been resulted as follows:  Result: Held	JOHNNENE	0.00	0.00
71	08/06/14	SCHEDULING INFORMATION: Event: STATUS Date: 08/18/2014 Time: 9:00 am Judge: 10 - COURTROOM 10 Location: ROOM 10 - TRIAL ASSIGNMENT SESSION  Result: Held	MCFADDEN_D	0.00	0.00
72	08/06/14	Habeas Corpus for Defendant Printed  * BMC Habeas Corpus for Defendant Sent on: 08/06/2014 14:24:47	DEANGELIS	0.00	0.00
73	08/06/14	HORGAN J/RN, BAK	DEANGELIS	0.00	0.00
74	08/06/14	HABEAS CORPUS TO ISSUE FOR BRIDGEWATER STATE HOSPITAL	DEANGELIS	0.00	0.00
75	08/06/14	CONT TO AUG 18, RM 10 STATUS, DATE OF 8/27/14 VACATED, PLEASE CANCEL HABE FOR 8/27/14	DEANGELIS	0.00	0.00
76	08/06/14	FAX RECEIVED FROM BRIDGEWATER STATE HOSPITAL REQUESTING EXTENSION FOR FURTHER EVALUATION-ORDER OF COMMITMENT SIGNED ON 7/14/14 STATES COMMITMENT TO EXPIRE ON 8/1/14 EXTENSION ALLOWED	DEANGELIS	0.00	0.00
77	08/06/14	TAPE NUMBER AND FOOTAGE 17/12:48	DEANGELIS	0.00	0.00
78	08/06/14	APPEARANCE OF PROBATION OFFICER LAWLOR	DEANGELIS	0.00	0.00
79	08/06/14	APPEARANCE OF COMMONWEALTH'S ATTY: KOSTER	DEANGELIS	0.00	0.00
80	08/06/14	DEFENDANT NOT IN COURT.	DEANGELIS	0.00	0.00
81	08/06/14	SCHEDULING INFORMATION: Event: STATUS Date: 08/18/2014 Time: 9:00 am Judge: 18 - COURTROOM 18 Location: ROOM 18 - PRE TRIAL HEARINGS	DEANGELIS	0.00	0.00
82	07/14/14	SUMMERVILLE J.....PM	BUCKLEY_T	0.00	0.00
83	07/14/14	RM 10 1030-	BUCKLEY_T	0.00	0.00
84	07/14/14	FORM PRINTED:  Order of Commitment c123 s15(b) Sent on: 07/14/2014 11:17:35	BUCKLEY_T	0.00	0.00

No.	Filed	Action	Operator	Fine/Cost	Due
5	07/14/14	Habeas Corpus for Defendant Printed  * BMC Habeas Corpus for Defendant Sent on: 07/14/2014 11:16:37	BUCKLEY_T	0.00	0.00
6	07/14/14	SAME RECOG, CONTINUED...TO 8/27/14 RM 10 STATUS	BUCKLEY_T	0.00	0.00
7	07/14/14	SCHEDULING INFORMATION: Event: STATUS Date: 08/27/2014 Time: 9:00 am Judge: 10 - COURTROOM 10 Location: ROOM 10 - TRIAL ASSIGNMENT SESSION	BUCKLEY_T	0.00	0.00
8	07/14/14	EVENT RESULT The following event: DISPOSITION scheduled for 07/14/2014 at 9:00 am has been resulted as follows:  Result: Held	BUCKLEY_T	0.00	0.00
9	07/14/14	DEFT EXPARTE MOTION FOR FUNDS FOR PSYCHIATRIC EXPERT FILED--TO BE EVALUATED FOR CRIMINAL RESP. CH123 S 15B AT B'WATER STATE HOSP.	BUCKLEY_T	0.00	0.00
10	07/14/14	APPEARANCE OF PROBATION OFFICER LAWLOR	BUCKLEY_T	0.00	0.00
11	07/14/14	APPEARANCE OF COMMONWEALTH'S ATTY: ADA BRODY/BURKE	BUCKLEY_T	0.00	0.00
12	07/14/14	ATTORNEY REAGANBOGEN APPEARS	BUCKLEY_T	0.00	0.00
13	07/14/14	DEFENDANT NOT IN COURT	BUCKLEY_T	0.00	0.00
14	06/18/14	Habeas Corpus for Defendant Printed  * EMC Habeas Corpus for Defendant Sent on: 06/18/2014 13:43:35	SACHETT_R	0.00	0.00
15	06/18/14	Habeas Corpus for Defendant Printed  * EMC Habeas Corpus for Defendant Sent on: 06/18/2014 13:42:41	SACHETT_R	0.00	0.00
16	06/18/14	SCHEDULING INFORMATION: Event: DISPOSITION Date: 07/14/2014 Time: 9:00 am Judge: 10 - COURTROOM 10 Location: ROOM 10 - TRIAL ASSIGNMENT SESSION  Result: Held	SACHETT_R	0.00	0.00
17	06/18/14	EVENT RESULT The following event: COMPLIANCE / ELECTION scheduled for 06/18/2014 at 9:00 am has been resulted as follows:  Result: Held	SACHETT_R	0.00	0.00
18	06/18/14	HON. DOUGAN J./ PFM	SACHETT_R	0.00	0.00
19	06/18/14	TAPE NUMBER AND FOOTAGE RM 11/ 9:58, 1:03	SACHETT_R	0.00	0.00
20	06/18/14	HABEAS CORPUS FOR DEFENDANT AT BRIDGEWATER STATE HOSPITAL	SACHETT_R	0.00	0.00
21	06/18/14	HABEAS CORPUS FOR DEFENDANT AT NORFOLK COUNTY-DEDHAM	SACHETT_R	0.00	0.00

No.	Filed	Action	Operator	Fine/Cost	Due
102	06/18/14	\$1800. CASH TO JULY 14-DISPOSITION-RM 10-SAME RECOG	SACHETT_R	0.00	0.00
103	06/18/14	APPEARANCE OF PROBATION OFFICER LAWTON	SACHETT_R	0.00	0.00
104	06/18/14	APPEARANCE OF COMMONWEALTH'S ATTY: ERICKSON	SACHETT_R	0.00	0.00
105	06/18/14	APPEARANCE OF DEFENDANT'S ATTY: ATTORNEY(s): ROYTENBERG, VICTORIA	SACHETT_R	0.00	0.00
106	06/18/14	DEFENDANT IN COURT	SACHETT_R	0.00	0.00
107	05/22/14	Habeas Corpus for Defendant Printed  * EMC Habeas Corpus for Defendant Sent on: 05/22/2014 14:43:57	SACHETT_R	0.00	0.00
108	05/22/14	Habeas Corpus for Defendant Printed  * EMC Habeas Corpus for Defendant Sent on: 05/22/2014 14:43:12	SACHETT_R	0.00	0.00
109	05/22/14	SCHEDULING INFORMATION: Event: COMPLIANCE / ELECTION Date: 06/18/2014 Time: 9:00 am Judge: 11 - COURTROOM 11 Location: COURT ROOM 11 - PRETRIAL HEARINGS  Result: Held	SACHETT_R	0.00	0.00
110	05/22/14	EVENT RESULT The following event: PRETRIAL HEARING. scheduled for 05/22/2014 at 9:00 am has been resulted as follows:  Result: Held	SACHETT_R	0.00	0.00
111	05/22/14	HON. DOUGAN J. / JJB	SACHETT_R	0.00	0.00
112	05/22/14	TAPE NUMBER AND FOOTAGE RM 10/ 11:42, 2:33	SACHETT_R	0.00	0.00
113	05/22/14	HABEAS CORPUS FOR DEFENDANT AT BRIDGEWATER STATE HOSPITAL	SACHETT_R	0.00	0.00
114	05/22/14	HABEAS CORPUS FOR DEFENDANT AT NORFOLK COUNTY	SACHETT_R	0.00	0.00
115	05/22/14	RULE 17 DISCOVERY DUE	SACHETT_R	0.00	0.00
116	05/22/14	1800 CASH, SAME RECOG TO JUNE 18-COMPLIANCE / ELECTION-RM 11	SACHETT_R	0.00	0.00
117	05/22/14	APPEARANCE OF PROBATION OFFICER LAWTON	SACHETT_R	0.00	0.00
118	05/22/14	APPEARANCE OF COMMONWEALTH'S ATTY: FITZGERALD	SACHETT_R	0.00	0.00
119	05/22/14	APPEARANCE OF DEFENDANT'S ATTY: REGENBOGEN ATTORNEY(s): ROYTENBERG, VICTORIA	SACHETT_R	0.00	0.00
120	05/22/14	DEFENDANT IN COURT	SACHETT_R	0.00	0.00
121	05/16/14	SCHEDULING INFORMATION: Event: PRETRIAL HEARING. Date: 05/22/2014 Time: 9:00 am Judge: 10 - COURTROOM 10 Location: ROOM 10 - TRIAL ASSIGNMENT SESSION	DEGIACOMO	0.00	0.00

Result: Held

No.	Filed	Action	Operator	Fine/Cost	Due
122	04/10/14	MOTION FOR SPEEDY TRIAL RECEIVED AND FILED B'WATER ST HOSP	DEGIACOMO	0.00	0.00
123	04/09/14	SCHEDULING INFORMATION:  The following event: PRETRIAL HEARING. scheduled for 04/11/2014 at 9:00 am has been rescheduled as follows:  Event: PRETRIAL HEARING. Date: 05/22/2014 Time: 9:00 am Judge: 11 - COURTROOM 11 Location: COURT ROOM 11 - PRETRIAL HEARINGS	SACHETT_R	0.00	0.00
24	04/09/14	EVENT RESULT The following event: PRETRIAL HEARING. scheduled for 04/11/2014 at 9:00 am has been resulted as follows:  Result: Continued	SACHETT_R	0.00	0.00
125	04/09/14	HON. COYNE J./ KTN	SACHETT_R	0.00	0.00
26	04/09/14	TAPE NUMBER AND FOOTAGE RM 11/ 2:46	SACHETT_R	0.00	0.00
127	04/09/14	1,800. CASH, SAME RECOG TO MAY 22-PTH-RM 11	SACHETT_R	0.00	0.00
28	04/09/14	MOTION BY DEFENDANT: MOTION TO ADVANCE AND CONTINUE RECEIVED AND FILED	SACHETT_R	0.00	0.00
29	04/09/14	APPEARANCE OF PROBATION OFFICER LAWTON	SACHETT_R	0.00	0.00
30	04/09/14	APPEARANCE OF COMMONWEALTH'S ATTY: NOT PRESENT	SACHETT_R	0.00	0.00
31	04/09/14	APPEARANCE OF DEFENDANT'S ATTY: ROYTENBERG	SACHETT_R	0.00	0.00
32	04/09/14	DEFENDANT NOT IN COURT.	SACHETT_R	0.00	0.00
33	03/26/14	BAIL BY DEFENDANT Receipt: 89418 Date: 03/26/2014	MCKINNON_C	1,800.00	0.00
34	03/21/14	RECEIVED FROM THE SUFFOLK SUPERIOR COURT A NOTICE OR ORDER OF PETITION FOR REVIEW OF BAIL-THE PETITION WAS ALLOWED TO \$18,000/SURETY OR \$1,800/CASH BAIL WARNING READ	MCKINNON_R	0.00	0.00
35	03/12/14	APPOINTMENT OF COUNSEL FROM CPCS : Attorney ROYTENBERG, VICTORIA representing Defendant LAWSON, RICHARD as of 03/12/2014	VANES_J	0.00	0.00
36	03/12/14	SCHEDULING INFORMATION: Event: PRETRIAL HEARING. Date: 04/11/2014 Time: 9:00 am Judge: 11 - COURTROOM 11 Location: COURT ROOM 11 - PRETRIAL HEARINGS  Result: Continued	FORSYTH	0.00	0.00
37	03/12/14	Criminal Complaint Printed  * BMC CRIMINAL COMPLAINT Sent on: 03/12/2014 15:32:26	NUNEZBEN	0.00	0.00
38	03/12/14	Criminal Complaint Printed  * BMC CRIMINAL COMPLAINT Sent on: 03/12/2014 15:32:21	NUNEZBEN	0.00	0.00

No.	Filed	Action	Operator	Fine/Cost	Due
139	03/12/14	COMPLAINT FILED	EACC	0.00	0.00
140	03/12/14	TAPE NUMBER AND FOOTAGE RM 17 - 4:30	FORSYTH	0.00	0.00
141	03/12/14	SUMMERVILLE, J KTN	FORSYTH	0.00	0.00
142	03/12/14	DEF. NOTIFIED OF RIGHT TO PETITION SUPERIOR COURT FOR REVIEW OF BAIL.	FORSYTH	0.00	0.00
143	03/12/14	BAIL WARNING GIVEN.	FORSYTH	0.00	0.00
144	03/12/14	\$2,000 CASH TO APRIL 11, RM 11 - PTH. MITTIMUS ISSUED.	FORSYTH	0.00	0.00
145	03/12/14	DEFENDANT ARRAIGNED BEFORE COURT, NOTIFIED OF RIGHT TO COUNSEL. ATTORNEY APPOINTED BY COURT, PLEA OF NOT GUILTY ENTERED. NOTIFIED OF PRETRIAL HEARING DATE.	FORSYTH	0.00	0.00
146	03/12/14	APPEARANCE OF PROBATION OFFICER CLIFFORD	FORSYTH	0.00	0.00
147	03/12/14	APPEARANCE OF COMMONWEALTH'S ATTY: FITZGERALD.	FORSYTH	0.00	0.00
148	03/12/14	LEGAL COUNSEL FEE C211D-S2	FORSYTH	150.00	150.00
149	03/12/14	APPOINTMENT OF COUNSEL: ROYTENBERG (BAIL)	FORSYTH	0.00	0.00
150	03/12/14	DEFENDANT IN CUSTODY	FORSYTH	0.00	0.00
Total:				3,750.00	150.00
Totals By:					
BAIL				1,800.00	0.00
COUNSEL				150.00	150.00
CRIMINAL				0.00	0.00
MISCELLANEOUS					
Information				0.00	0.00
Payment				1,800.00	0.00
*** End of Report ***					



<b>DEFENDANT NAME AND ADDRESS</b> <b>RICHARD LAWSON</b> <b>HOMELESS</b> <b>, MA</b>				<b>TO ANY JUSTICE OR CLERK-MAGISTRATE OF THE BOSTON MUNICIPAL COURT DEPARTMENT</b>  The within named and undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date and at the location stated herein the defendant did commit the offense(s) listed below, and on any attached pages, in the City of Boston and within the judicial district of the Boston Municipal Court Department.	
BIRTH DATE 01/07/1981	GENDER MALE	RACE WHITE	HEIGHT		
PCF NUMBER	WEIGHT 180	EYES BLUE	HAIR UNKNOWN		
POLICE DEPARTMENT BOSTON P.D. AREA A-1		OFFICER ID 7700	CC NUMBER 140149857		
COMPLAINT DATE 03/12/2014		COMPLAINANT JOHN MULLAN			
OFFENSE DATE 03/11/2014		PLACE OF OFFENSE WASHINGTON / SCHOOL STS.			
<b>BOSTON MUNICIPAL COURT DEPARTMENT</b> <b>CENTRAL DIVISION</b> <b>EDWARD W. BROOKE COURTHOUSE</b> <b>24 NEW CHARDON STREET, ROOM 6-540</b> <b>BOSTON, MA 02114</b> <b>(617) 788-8600</b>					

**1 265:013D:B A&B ON PUBLIC EMPLOYEE C265 S13D**

DID ASSAULT AND BEAT JOHN MULLAN, A BOSTON POLICE OFFICER WHO WAS THEN ENGAGED IN THE PERFORMANCE OF HIS OR HER DUTIES, IN VIOLATION OF G.L. C.265, S.13D. (PENALTY: HOUSE OF CORRECTION NOT LESS THAN 90 DAYS, NOT MORE THAN 2 1/2 YEARS; OR NOT LESS THAN \$500, NOT MORE THAN \$5000.)

**2 265:015A:A A&B WITH DANGEROUS WEAPON C265 S15A**

DID, BY MEANS OF A DANGEROUS WEAPON, A SHOD FOOT, ASSAULT AND BEAT JOHN MULLAN, IN VIOLATION OF G.L. C.265, S.15A(B). (PENALTY: STATE PRISON NOT MORE THAN 10 YEARS; OR HOUSE OF CORRECTION NOT MORE THAN 2 1/2 YEARS; OR FINE OF NOT MORE THAN \$5,000; OR BY BOTH SUCH FINE AND IMPRISONMENT.)

**3 265:013D:B A&B ON PUBLIC EMPLOYEE C265 S13D**

DID ASSAULT AND BEAT PAUL HAYWARD, A BOSTON POLICE OFFICER WHO WAS THEN ENGAGED IN THE PERFORMANCE OF HIS OR HER DUTIES, IN VIOLATION OF G.L. C.265, S.13D. (PENALTY: HOUSE OF CORRECTION NOT LESS THAN 90 DAYS, NOT MORE THAN 2 1/2 YEARS; OR NOT LESS THAN \$500, NOT MORE THAN \$5000.)

**4 265:015A:A A&B WITH DANGEROUS WEAPON C265 S15A**

DID, BY MEANS OF A DANGEROUS WEAPON, A HANDCUFFS, ASSAULT AND BEAT PAUL HAYWARD, IN VIOLATION OF G.L. C.265, S.15A(B). (PENALTY: STATE PRISON NOT MORE THAN 10 YEARS; OR HOUSE OF CORRECTION NOT MORE THAN 2 1/2 YEARS; OR FINE OF NOT MORE THAN \$5,000; OR BY BOTH SUCH FINE AND IMPRISONMENT.)

→ OCT 17 2014 ~~BE~~ DIRECTED VERDICT OUT THE BATTERY PORTION OF THIS CHARGED.  
 CHARGE AMENDED TO "ASSAULT W/A DANGEROUS WEAPON, TO WIT - HANDCUFFS" COYAL J. J. J. J.


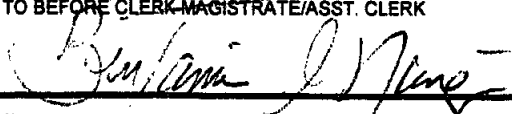
COMPLAINT OR AUTHORIZED OFFICER <b>X</b> <i>[Signature]</i>	SWORN TO BEFORE CLERK-MAGISTRATE/ASST. CLERK <b>X</b> <i>[Signature]</i>	ON (DATE) <b>MAR 12 2014</b>
CHIEF JUSTICE <b>Hon. Roberto Ronquillo, Jr.</b>	COURT ADDRESS <b>BOSTON MUNICIPAL COURT</b> <b>CENTRAL DIVISION</b> <b>24 NEW CHARDON STREET, ROOM 6-540 BOSTON, MA 02114</b>	

5

268:032B

RESISTING ARREST C268 S32B

BEING A PERSON, DID KNOWINGLY PREVENT OR ATTEMPT TO PREVENT A POLICE OFFICER, ACTING UNDER OFFICIAL AUTHORITY FROM EFFECTING AN ARREST OF THE ACTOR, OR ANOTHER, BY USE OR THREAT OF USE OF PHYSICAL FORCE OR VIOLENCE AGAINST THE OFFICER OR ANOTHER, OR THROUGH USE OF ANY OTHER MEANS WHICH CREATES A SUBSTANTIAL RISK OF CAUSING BODILY INJURY TO SUCH POLICE OFFICER OR ANOTHER, IN VIOLATION OF G.L. C.268, S.32B. (PENALTY: NOT MORE THAN TWO AND ONE-HALF YEARS; OR NOT MORE THAN \$500; OR BOTH.)

COMPLAINT OR AUTHORIZED OFFICER 	SWORN TO BEFORE CLERK/MAGISTRATE/ASST. CLERK 	ON (DATE) DEC 12 2014
CHIEF JUSTICE Hon. Roberto Ronquillo, Jr.	COURT ADDRESS BOSTON MUNICIPAL COURT CENTRAL DIVISION 24 NEW CHARDON STREET, ROOM 6-540 BOSTON, MA 02114	

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

BOSTON MUNICIPAL COURT  
CENTRAL DIVISION  
DOC. NO. 1401CR1320

COMMONWEALTH

V.

RICHARD LAWSON

**NOTICE OF DEFENSE OF LACK OF CRIMINAL RESPONSIBILITY BECAUSE OF  
MENTAL DISEASE OR DEFECT**

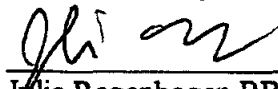
Now comes the defendant, Mr. Richard Lawson, and filed this notice, pursuant to Massachusetts Rules of Criminal Procedure Rule 14(b)(2)(A), of his intention to rely on the defense of lack of criminal responsibility because of mental disease or defect.

The defendant states that he intends to offer testimony of the following witness on the issue of his lack of criminal responsibility:

Dr. Maria Salvador  
Forensic Psychologist  
Bridgewater State Hospital  
20 Admin Rd, Bridgewater, MA 02324

Dr. Salvador did rely in part on the defendant's statements as to his mental condition at the time of the alleged offense in forming his opinion.

Respectfully Submitted,  
RICHARD LAWSON  
By His Attorney,



Julie Regenbogen BBO#687846  
Committee for Public Counsel Services  
One Congress St. Suite 102  
Boston, MA 02114  
(617) 209-5500

CERTIFICATE OF SERVICE

I, Julie Regenbogen, hereby certify that I have provided a copy of this notice to the Suffolk County District Attorney's Office, One Bulfinch Place, Boston MA 02114 via in hand/facsimile/e-mail/first class mail.

Signed under the pains and penalties of perjury this 22 day of September, 2014.

  
\_\_\_\_\_  
Julie Regenbogen

SUFFOLK, ss.

BOSTON MUNICIPAL COURT  
CENTRAL DIVISION  
NO. 1401CR1320

COMMONWEALTH

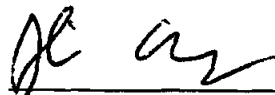
v.

RICHARD LAWSON

**NOTICE OF APPEAL**

Notice is hereby given that the Defendant in the above-numbered case, being aggrieved by certain opinions, rulings, directions, and judgments of the Court, hereby appeals pursuant to Massachusetts Rules of Appellate Procedure, Rule 3.

RICHARD LAWSON  
By his attorney:



Julie Regenbogen, BBO #687846  
Committee for Public Counsel Services  
Public Defender Division  
One Congress Street, Suite 102  
Boston, MA 02114  
(617) 209-5500

Date: October 24, 2014

BOSTON MUNICIPAL COURT  
CENTRAL DIVISION  
2014 OCT 28 PM 2:44